



IFW #REV 1652

PTO/SB/30 (09-03)

Request  
For  
Continued Examination (RCE)  
Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/724,889
Filing Date	November 28, 2000
First Named Inventor	Julien, Bryan
Art Unit	1652
Examiner Name	NASHED, Nashaat T.
Attorney Docket Number	20547-001300US

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. **20-1430**
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)
- WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization of PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print /Type)	Randolph Ted Apple	Registration No. (Attorney/Agent)	36,429
Signature		Date	06/10/2004

**CERTIFICATE OF MAILING OR TRANSMISSION**

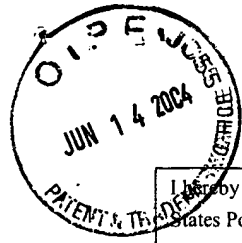
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print /Type)	Nancy Pizzo		
Signature		Date	06/10/2004

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06/16/2004 JADD01 00000059 201430 09724889

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On Nancy Pizzo

TOWNSEND and TOWNSEND and CREW LLP

By: June 10, 2004  
NANCY PIZZO

PATENT

Attorney Docket No.: 20547-001300US  
Prior Ref. No. 300622003111

Customer No. 20350

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Bryan Julien et al.

Application No.: 09/724,889

Filed: November 28, 2000

For: Recombinant Methods and Materials for  
Producing Epothilone and Epothilone  
Derivatives

Confirmation No. 7394

Examiner: NASHED, Nashaat T.

T.C./Art Unit: 1652

**AMENDMENT**

Mail Stop: RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action mailed January 12, 2004, and the advisory action mailed March 23, 2004, please enter the following amendments and remarks. This amendment is accompanied by a Request for Continued Examination and a fee for a two-month extension of time for response.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 4 of this paper.